

EXHIBIT E

Innessa M. Huot

From: Innessa M. Huot
Sent: Monday, April 6, 2020 11:51 AM
To: Mary Ellen Donnelly; Nicole E. Price
Cc: Alex J. Hartzband
Subject: RE: Ruderman v. Law Office of Yuriy Prakhin, P.C., et al., No. 19-cv-02987

Hi Mary Ellen,

We have been trying to get Defendants ESI for five months at this point and have been discussing the matter with you specifically for over a month. I understand you are having difficulty getting in touch with your client. However, we know that he has been in constant communication with his employees over the last few weeks. As such, it seems to us that, despite your efforts to get them to comply, Defendants are willfully shirking their discovery responsibilities. This is particularly concerning given that, as far as we understand, Defendants are conducting their ESI search in-house (we have requested confirmation of the same via Plaintiff's Second Set of Interrogatories, the responses to which are now past due). We really need this ESI so that we can proceed with depositions in this case. With the discovery deadline soon approaching, we have to insist that the ESI be produced to us by April 15.

The parties have met and conferred on this issue numerous times. If we cannot get this ESI, then we will consider the parties to be at an impasse on this issue and seek Court intervention.

Best,
Innessa

From: Mary Ellen Donnelly <MDonnelly@putneylaw.com>
Sent: Tuesday, March 31, 2020 2:42 PM
To: Innessa M. Huot <ihuot@faruqilaw.com>; Nicole E. Price <nprice@putneylaw.com>
Cc: Alex J. Hartzband <ahartzband@faruqilaw.com>
Subject: Re: Ruderman v. Law Office of Yuriy Prakhin, P.C., et al., No. 19-cv-02987

Thanks Innessa. I have not heard back from the client. I am not an alarmist, but don't know what his current status is. When I reach him, I will certainly let you know. I don't know if a search can be performed remotely (most likely) or not. Will keep you apprised.

Mary Ellen Donnelly
Putney, Twombly, Hall & Hirson LLP
521 Fifth Avenue, 10th Floor
New York, New York 10175
DD (212) 682-5734
(212) 682-0020 ext. 259
mdonnelly@putneylaw.com

From: Innessa M. Huot <ihuot@faruqilaw.com>
Sent: Tuesday, March 31, 2020 2:38 PM
To: Mary Ellen Donnelly <MDonnelly@putneylaw.com>; Nicole E. Price <nprice@putneylaw.com>
Cc: Alex J. Hartzband <ahartzband@faruqilaw.com>
Subject: RE: Ruderman v. Law Office of Yuriy Prakhin, P.C., et al., No. 19-cv-02987

Great, it appears we are on the same page with respect to Defendants' compliance with the ESI Stipulation. I agree this makes Court intervention not necessary. As previously discussed, we are not looking to commit your client to search terms that generate an unreasonably large number of hits. Should this occur, we are happy to work cooperatively and narrow down or reassess particular search terms that prove problematic following receipt of a hit report.

We ask that you please provide us with a specific date (as soon as possible) by when we can receive Defendants' production so that we can move forward with this case.

We only received a roughly 75-day extension. This will run quickly.

Please let us know.

Thank you,
Innessa

From: Mary Ellen Donnelly <MDonnelly@putneylaw.com>
Sent: Monday, March 30, 2020 11:09 AM
To: Innessa M. Huot <ihuot@faruqilaw.com>; Nicole E. Price <nprice@putneylaw.com>
Cc: Alex J. Hartzband <ahartzband@faruqilaw.com>
Subject: Re: Ruderman v. Law Office of Yuriy Prakhin, P.C., et al., No. 19-cv-02987

Good morning. I have been unable to reach my client, who is usually responsive. As I have repeatedly advised you, we intend to comply with ESI and hope to come to agreement on the terms without judicial intervention. However, I cannot commit to any terms until I discuss with my client. I will reach out to him again today and am hoping that all is well with him and he will respond.

Mary Ellen Donnelly
Putney, Twombly, Hall & Hirson LLP
521 Fifth Avenue, 10th Floor
New York, New York 10175
DD (212) 682-5734
(212) 682-0020 ext. 259
mdonnelly@putneylaw.com

From: Innessa M. Huot <ihuot@faruqilaw.com>
Sent: Monday, March 30, 2020 11:05 AM
To: Mary Ellen Donnelly <MDonnelly@putneylaw.com>; Nicole E. Price <nprice@putneylaw.com>
Cc: Alex J. Hartzband <ahartzband@faruqilaw.com>
Subject: RE: Ruderman v. Law Office of Yuriy Prakhin, P.C., et al., No. 19-cv-02987

Hi Mary Ellen/Nicole: Today is Monday, March 30, 2020 and we have not heard from you since last Monday, March 23, 2020 regarding whether Defendants intend to comply with the ESI stipulation. Will you please respond to my email below so that we know how to proceed.

Best,
Innessa

From: Innessa M. Huot
Sent: Friday, March 27, 2020 11:40 AM
To: Mary Ellen Donnelly <MDonnelly@putneylaw.com>; Nicole E. Price <nprice@putneylaw.com>
Cc: Alex J. Hartzband <ahartzband@faruqilaw.com>
Subject: RE: Ruderman v. Law Office of Yuriy Prakhin, P.C., et al., No. 19-cv-02987

Hi Mary Ellen, any update on this?

Thanks,
Innessa

From: Innessa M. Huot
Sent: Wednesday, March 25, 2020 1:49 PM
To: Mary Ellen Donnelly <MDonnelly@putneylaw.com>; Nicole E. Price <nprice@putneylaw.com>
Cc: Alex J. Hartzband <ahartzband@faruqilaw.com>
Subject: RE: Ruderman v. Law Office of Yuriy Prakhin, P.C., et al., No. 19-cv-02987

Hi Mary Ellen, we are reviewing Defendants' letter and note that many of these issues have already been previously addressed and fully resolved. We will confer further with our client on the new issues that were raised. We expect to have a written response to you next week, after which we would be happy to schedule a meet-and-confer.

With respect to ESI: We had represented to the Court that, should this dispute not be resolved, then we would seek a pre-motion conference by March 30, 2020. We would really like to resolve this matter by the end of this week so that we do not have to involve the Court on Monday. To that end, please let us know by the end of this week if Defendants intend to comply with the revised ESI protocol (I am attaching the revised Attachment B here again for easy reference). As discussed, if in the future a particular search term results in an unreasonably large amount of hits, we are of course open to discussing how to revise such term. We hope to work cooperatively on this matter and resolve this issue amicably.

Please let us know.

Thank you,
Innessa

From: Mary Ellen Donnelly <MDonnelly@putneylaw.com>
Sent: Monday, March 23, 2020 10:49 AM
To: Innessa M. Huot <ihuot@faruqilaw.com>; Nicole E. Price <nprice@putneylaw.com>
Cc: Alex J. Hartzband <ahartzband@faruqilaw.com>
Subject: Re: Ruderman v. Law Office of Yuriy Prakhin, P.C., et al., No. 19-cv-02987

The letter looks good. I have reached out to my client and am awaiting a response and will get back to you on the discovery.

Mary Ellen Donnelly
Putney, Twombly, Hall & Hirson LLP
521 Fifth Avenue, 10th Floor
New York, New York 10175
DD (212) 682-5734
(212) 682-0020 ext. 259
mdonnelly@putneylaw.com

From: Innessa M. Huot <ihuot@faruqilaw.com>
Sent: Monday, March 23, 2020 10:48 AM
To: Mary Ellen Donnelly <MDonnelly@putneylaw.com>; Nicole E. Price <nprice@putneylaw.com>
Cc: Alex J. Hartzband <ahartzband@faruqilaw.com>
Subject: FW: Ruderman v. Law Office of Yuriy Prakhin, P.C., et al., No. 19-cv-02987

Hi Mary Ellen, on our meet and confer you asked if we can get an extension of the discovery deadline. We agreed and said we would write the letter on behalf of the parties – we sent you the draft letter on the 19th. We intend to file this today at 3pm. Please advise if you have any edits before then.

Thank you,
Innessa

From: Innessa M. Huot
Sent: Friday, March 20, 2020 6:09 PM
To: 'Mary Ellen Donnelly' <MDonnelly@putneylaw.com>; 'Nicole E. Price' <nprice@putneylaw.com>
Cc: Alex J. Hartzband <ahartzband@faruqilaw.com>
Subject: FW: Ruderman v. Law Office of Yuriy Prakhin, P.C., et al., No. 19-cv-02987

Hi Mary Ellen, can you please see my email below and let us know whether your client intends to comply with the ESI protocol. We need to start preparing our pre-motion letter papers and cannot delay any further.

Additionally, please let us know if you have edits to the letter.

Thank you,
Innessa

From: Innessa M. Huot
Sent: Thursday, March 19, 2020 7:26 PM
To: Mary Ellen Donnelly <MDonnelly@putneylaw.com>; Nicole E. Price <nprice@putneylaw.com>
Cc: Alex J. Hartzband <ahartzband@faruqilaw.com>
Subject: Ruderman v. Law Office of Yuriy Prakhin, P.C., et al., No. 19-cv-02987

Hi Mary Ellen,

Glad we finally got the chance to connect over the phone. We're looking forward to working with you.

We were happy to hear that Defendants have begun to run some search terms through their electronic systems and that it should not be difficult to run additional terms down the line. As discussed on our meet and confer, while we still believe Plaintiff is entitled to full compliance with the existing ESI Protocol, we are willing to work cooperatively to narrow down the search terms. To that end, we previously sent you a revised "Attachment B" that eliminates and narrows search terms based on your previous suggestions. I am attaching that document again here for your easy access.

Please let us know by the end of this week if your client intends to comply with the amended ESI protocol. If in the future a hit report shows an unreasonably large amount of hits for any particular term, we are of course amenable to further discussions about how to narrow or revise such term. We also look forward to hearing back from you on the production of Ms. Ruderman's emails in non-native form.

Attached is also our draft letter motion for an extension of the discovery deadline. Instead of June 12th (60 days), I pushed it out to June 30th in order to give us more time to weather this pandemic. Please let me know if you have any edits.

Best,
Innessa



Innessa M. Huot ■ Partner ■ Faruqi & Faruqi, LLP ■ 685 Third Avenue, 26th Floor ■ New York, NY 10017 ■ (T) 212-983-9330 ■ (F) 212-983-9331 ■ www.faruqilaw.com ■ www.employeeightscounsel.com



This message originates from the law firm of Faruqi & Faruqi, LLP. This email message and all attachments may contain legally privileged and confidential information intended solely for the use of the addressee. If you are not the intended recipient, you should immediately stop reading this message and delete it from your system. Any unauthorized reading, distribution, copying or other use of this message or its attachments is strictly prohibited. All personal messages express solely the sender's view and not those of Faruqi & Faruqi, LLP. This message may not be copied or distributed without this disclaimer. If you received this message in error, please reply to the sender above immediately and permanently delete this message from your inbox.